UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/644,819	08/23/2000	Dorian Birsan	CA919990037US1	2470

7590   01/20/2004

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EXAMINER
NGUYEN, DANG T

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 01/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspond nce address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 August 2000</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-27</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-27</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>23 August 2000</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: Application filed on 08/23/2000.

2.   Claims 1 – 27 are pending in this case. Claims 1, 13, 18, and 23 are independent

claims.

Specification

3.   **Content of Specification**
    (d)   Incorporation-By-Reference Of Material Submitted On a Compact Disc:
           The specification is required to include an incorporation-by-reference of
           electronic documents that are to become part of the permanent United
           States Patent and Trademark Office records in the file of a patent
           application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer
           program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)),
           and tables having more than 50 pages of text were permitted as electronic
           documents on compact discs beginning on September 8, 2000.

           Or alternatively, Reference to a "Microfiche Appendix": See MPEP §
           608.05(a). "Microfiche Appendices" were accepted by the Office until
           March 1, 2001.

The description portion of this application contains a computer program listing
consisting of more than three hundred (300) lines. In accordance with 37 CFR
1.96(c), a computer program listing printout of more than three hundred lines must
be submitted as a computer program listing appendix on compact disc conforming
to the standards set forth in 37 CFR 1.96(c)(2) and must be appropriately
referenced in the specification (see 37 CFR 1.77(b)(4)). Accordingly, applicant is
required to cancel the computer program listing appearing in the specification, file a
computer program listing appendix on compact disc in compliance with 37 CFR
1.96(c), and insert an appropriate reference to the newly added computer program
listing appendix on compact disc at the beginning of the specification.

Claim Objections

4.   Claims 1, 3-5, 13, 15, 16, 18, 20, 21, 23, and 25-26 objected to because of the

following informalities: the claims of invention should not have acronyms. Appropriate

correction is required.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 27 are rejected under 35 U.S.C. 102(e) as being anticipated by

Wanderski et al., U.S. patent No. 6,519,617 B1 – filed Apr. 8, 1999.

Regarding independent claim 1, Wanderski discloses a mechanism for

manipulating information from a source data model and creating a target data model,

said mechanism comprising:

(a) a template module [XML document] including a directive to manipulate selected data

in said source data model (Col. 2 lines 28-40);

(b) a template processing module to process said directive contained in said template

module (Col. 3 lines 26-32);

(c) said template processing module further including a component to generate a DOM

tree for navigating said template module to manipulate said source data model (Col. 3

lines 1-8).

Regarding dependent claim 2, Wanderski discloses wherein said template

module further includes a directive to create a target data file (Col. 3 lines 11-12), said

target data file providing a repository for data obtained from said source data model

(Col. 3 lines 13-17).

Regarding dependent claim 3, Wanderski discloses wherein said template

module includes a directive to manipulate the DOM tree (Col. 3 lines 2-4).

Regarding dependent claim 4, Wanderski discloses wherein said template

processing module further includes a component to generate a DOM tree for navigating

said source data model (Col. 3 lines 4-7).

Regarding dependent claim 5, the claims incorporates substantially similar

subject matter as claim 3, and is rejected along the same rationale.

Regarding dependent claim 6, Wanderski discloses in an application

development program and said source data model and said target source data model

define an object for an application program (Col. 2 lines 27-36).

Regarding dependent claim 7, Wanderski discloses wherein said template module is

expressed in XML, said template module being defined according to a DTD (Col. 2 lines 2-7).

Regarding dependent claims 8 - 12, the claims incorporates substantially

similar subject matter as claim 7, and is rejected along the same rationale.

Regarding independent claim 13, Wanderski discloses a method for manipulating

selected data from a source data model, said method comprising:

(a) defining a template file having a directive specifying the data to be manipulated in

said source data model (Col. 3 lines 2-4);

(b) generating a DOM tree for navigating said template file (Col. 3 lines 4-6);

(c) navigating said template file and applying said directive to manipulate selected

data in said source data model (Col. 3 lines 1-7 and Col. 8 lines 49-51).

Regarding dependent claim 14, the claims incorporates substantially similar

subject matter as claim 2, and is rejected along the same rationale.

Regarding dependent claim 15, the claims incorporates substantially similar

subject matter as claim 4, and is rejected along the same rationale.

Regarding dependent claim 16, the claims incorporates substantially similar

subject matter as claim 3, and is rejected along the same rationale.

Regarding dependent claim 17, Wanderski discloses wherein said template file is

expressed in XML, said template file being defined according to a DTD (Col. 2 lines 1-8).

Regarding independent claim 18, Wanderski discloses a computer program product

for an application program for creating objects, said application program including a utility for

manipulating information in a source data model and creating a target data model, said

computer program product comprising: a recording medium (see Abstract, line 1, [computer-

readable code]); means recorded on said medium for instructing a computer to perform (see

Figure 1):

(a) defining a template file having a directive specifying the data to be manipulated in

said source data model (Col. 3 lines 2-4);

(b) generating a DOM tree for navigating said template file (Col. 3 lines 4-6);

(c) navigating said template file and applying said directive to manipulate selected data

in said source data model (Col. 8 lines 49-51).

Regarding dependent claim 19, the claims incorporates substantially similar

subject matter as claim 2, and is rejected along the same rationale.

Regarding dependent claim 20, Wanderski discloses wherein said applying

said directive includes generating a DOM tree for navigating said source data model

(Col. 3 lines 4-8).

Regarding dependent claim 21, Wanderski discloses wherein said template file

includes a directive for manipulating the DOM tree for said source data model (Col. 3

lines 2-4).

Regarding dependent claim 22, Wanderski discloses wherein said template file is

expressed in XML, said template file being defined according to a DTD (Col. 2 lines 2-8).

Regarding independent claim 23, recite a computer program product comprising

means for instructing a computer to perform a method for manipulating selected data from

a source data model which is equivalent to the method as recited in claim 13 and is

similarly rejected, as above.

Regarding dependent claim 24, Wanderski further discloses including creating

a target data model (Col. 3 lines 11-12), said target data model providing a repository

for the data obtained from said source data model (Col. 3 lines 13-17).

Regarding dependent claim 25, Wanderski discloses wherein said applying

said directive includes generating a DOM tree for navigating said source data model

(Col. 3 lines 4-8).

Regarding dependent claim 26, Wanderski discloses wherein said template file

includes a directive for manipulating the DOM tree for said source data model (Col. 3

lines 2-4).

Regarding dependent claim 27, Wanderski discloses wherein said template file is

expressed in XML, said template file being defined according to a DTD (Col. 2 lines 2-8).

Prior art

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Pallmann	Patent No. US 6,094,684	Date of Patent: Jul. 25, 2000
Morgenstern	Patent No. US 5,970,490	Date of Patent: Oct. 19, 1999
Chen et al.	Patent No. US 6,507,856 B1	Date of Patent: Jan. 14, 2003
Blinn et al.	Patent No. US 6,484,150 B1	Date of Patent: Nov. 19, 2002
Lindsey	Patent No. 5,875,331	Date of Patent: Feb. 23, 1999

Contact Information

6.   Any inquiry concerning this communication from the examiner should be directed

to Dang Nguyen, who can be reached by telephone at (703) 305-1673. Normal contact

times are M-F, 8-4:30.

Upon an unsuccessful attempt to contact the examiner, the examiner's

supervisor, Heather Herndon, may be reached at (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist, whose telephone number is (703)

305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

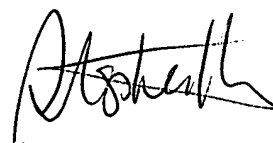(703) 746-7239 (for formal communications intended for entry)

or:

(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to

Crystal Park II, 2121 Crystal Drive

Arlington, VA, Fourth Floor (receptionist).

Dang Nguyen   1/8/2004

STEPHEN S. HONG
PRIMARY EXAMINER